

OCT 18 2019 NAO

EEOC Form 5 (11/09)

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

FEPA

EEOC

**524-2020-00110**

and EEOC

**State or local Agency, if any**

Name (indicate Mr., Ms., Mrs.)

**Mr. John Moses**

Home Phone (Incl. Area Code)

**(609) 815-1977**

Date of Birth

**1967**

Street Address

City, State and ZIP Code

**844 Carteret Avenue, Trenton, NJ 08618**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

**WAYFAIR**

No. Employees, Members

**15 - 100**

Phone No. (Include Area Code)

**(617) 532-6100**

Street Address

City, State and ZIP Code

**48 Station Rd., Cranbury, NJ 08512**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

**DISCRIMINATION BASED ON (Check appropriate box(es).)**

RACE

COLOR

SEX

RELIGION

NATIONAL ORIGIN

RETALIATION

AGE

DISABILITY

GENETIC INFORMATION

OTHER (Specify)

**DATE(S) DISCRIMINATION TOOK PLACE**

Earliest

Latest

**10-16-2019**

**10-18-2019**

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I allege Respondent subjected me to disability and race discrimination, in violation of the Americans with Disabilities Act of 1990, as amended and Title VII of the Civil Rights Act of 1964, as amended.

I have been employed with Respondent since September 23, 2019. On October 16, 2019, I sustained a work-related accident that caused me injuries. Following my accident, on October 17th, Louis Rodriguez, Receiving Department Manager subjected me to retaliation, a difference in treatment, and harassment due to my race and the injuries I sustained at work. Specifically, Mr. Rodriguez directed unwelcome offensive comments and did the below.

1. Rodriguez referred to me over the walkie talkie as the "Black Associate".
2. Rodriguez said to me "I am the head nigger in charge."
3. Rodriguez asked me "Are you the sick guy?"

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

10-18-19 John Moses

Date

Charging Party Signature

**NOTARY – When necessary for State and Local Agency Requirements**

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWEORN TO BEFORE ME  
(month, day, year)

**EXHIBIT**

**EEOC**

**10/18/19 #**

CP Enclosure with EEOC Form 5 (11/09)

**PRIVACY ACT STATEMENT:** Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

#### **NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW**

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

#### **NOTICE OF NON-RETALIATION REQUIREMENTS**

Please notify EEOC or the state or local agency where you filed your charge if retaliation is taken against you or others who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an employer to discriminate against present or former employees or job applicants, for an employment agency to discriminate against anyone, or for a union to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

## CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

 FEPA  
 EEOC

**AMENDED**  
**524-2020-00110**

## New Jersey Division On Civil Rights

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

John Moses

Home Phone (Incl. Area Code)

(609) 815-1977

Date of Birth

1967

Street Address

City, State and ZIP Code

844 Carteret Avenue, Trenton, NJ 08618

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name <b>WAYFAIR</b>	No Employees, Members <b>15 - 100</b>	Phone No. (Include Area Code) <b>(617) 532-6100</b>
------------------------	--	--

Street Address  
City, State and ZIP Code

48 Station Rd., Cranbury, NJ 08512

Name	No Employees, Members	Phone No. (Include Area Code)
------	-----------------------	-------------------------------

Street Address  
City, State and ZIP Code

## DISCRIMINATION BASED ON (Check appropriate box(es).)

<input checked="" type="checkbox"/> RACE	<input type="checkbox"/> COLOR	<input type="checkbox"/> SEX	<input type="checkbox"/> RELIGION	<input type="checkbox"/> NATIONAL ORIGIN
<input checked="" type="checkbox"/> RETALIATION	<input type="checkbox"/> AGE	<input checked="" type="checkbox"/> DISABILITY	<input type="checkbox"/> GENETIC INFORMATION	
<input type="checkbox"/> OTHER (Specify)				

DATE(S) DISCRIMINATION TOOK PLACE  
Earliest  
Latest

10-16-2019 Present

 CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s).)

I allege Respondent subjected me to disability and race discrimination, in violation of the Americans with Disabilities Act of 1990, as amended and Title VII of the Civil Rights Act of 1964, as amended. I further allege Respondent has subjected me to retaliation in connection to my protected activity.

This charge will serve to amend the EEOC charge I filed on October 18, 2019, alleging disability and race discrimination, as well as retaliation.

Although I filed an EEOC charge alleging discrimination, Respondent continue to discriminate against me. I referred Adam Robertson for work to Respondent and Mr. Robertson was hired. I requested the bonus Respondent pays employees for making a referral, but my request was denied. Since Mr. Robertson was hired, I believe the denial of my referral bonus is another form of retaliation.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

## NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.  
SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWEORN TO BEFORE ME THIS  
(month, day, year)

12-31-2019

John Moses

Date

Charging Party Signature

EXHIBIT  
Amend EEOC  
12/31/19 *attz*

## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: John Moses  
844 Carteret Avenue  
Trenton, NJ 08618

From: Newark Area Office  
283-299 Market Street  
Two Gateway Center, Suite 1703  
Newark, NJ 07102

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

524-2020-00110

EEOC Representative

Rayba Watson,  
Enforcement Supervisor

Telephone No.

(973) 645-6021

(See also the additional information enclosed with this form.)

## NOTICE TO THE PERSON AGGRIEVED:

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

More than 180 days have passed since the filing of this charge.

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

The EEOC is terminating its processing of this charge.

The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

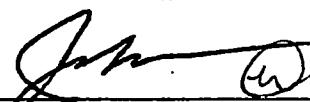
The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



JAN 23 2020

Enclosures(s)

John Waldinger,  
Area Office Director

(Date Mailed)

CC: Shellie Weber  
Manager, Talent Management  
WAYFAIR  
48 Station Rd.  
Cranbury, NJ 08512

EXHIBIT

Right to Sue Ltr  
1/23/2020 #3

# Wayferrals - Wayfair's Employee Referral Program

 Updated - Not Yet Reviewed

## On this page

- Wayfair's Employee Referral Program
- Part One: Accessing Greenhouse and Your Account
- Part Two: How to Refer Using Greenhouse
- Part Three: What to Expect after Referring
- Part Four: Rewards & Eligibility
  - Referral Bonus Payout Schedule
- Part Five: Issues Logging Into Greenhouse
- Part Six: Campus Referral Policy
- Part Seven: Frequently Asked Questions

## Wayfair's Employee Referral Program

If you have any questions after reading the article, please email Wayferrals@. Please note that Wayferrals is not attached to the ticketing system.

Employees are some of our best recruiters. We invite you to refer anyone you know that you think would make a great fit at Wayfair. Referrals are tagged to an employee for a total of 6 months. After that, anyone can re-refer them to a role.

Frequently Asked Questions can be found at the bottom of the article.

Happy Referring!

**Part One: Accessing Greenhouse and Your Account**

**Part Two: How to Refer Using Greenhouse**

**Part Three: What To Expect After Referring**

**Part Four: Rewards & Eligibility**

**Referral Bonus Payout Schedule**

**Part Five: Issues Logging Into Greenhouse**

**Part Six: Campus Referral Policy**

**Part Seven: Frequently Asked Questions**

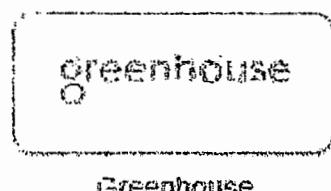
## In This Section

## Related Content

- EU InfoHub Awareness Week
- Extranet Apps - Tracking
- Assign and schedule training: process steps
- Supplier Operational Performance Onboarding
- [Team] Supplier Dashboard

## Part One: Accessing Greenhouse and Your Account

All employees are set up with a basic Greenhouse account. Even if you have never logged in before, you simply need to click the Greenhouse tile on the wayfair.okta.com page.



## Part Two: How to Refer Using Greenhouse

We have two ways that you can refer in Greenhouse.

### OPTION 1

**Step One:** Have your referral browse jobs on [www.wayfair.com/careers](http://www.wayfair.com/careers) and let you know which role they are interested in.

**Step Two:** Visit Greenhouse to submit your referral. You can sign in via Okta or under the link on Admin Home listed under Talent Acquisition.

**Step Three:** Locate and click the "Refer a Friend" button:

**Step Four:** The easiest way to populate the Candidate Information section is to upload your referral's resume. Once you upload the resume, the fields should populate to the best of Greenhouse's ability. You can add your referral directly to a job by searching the Job ID\* at the top of the submission field. We encourage you to at least submit a First Name, Last Name, and Email Address for your referral.

The Requisition (Job) ID can be found at the bottom of the listing.

About Us  
What is one of the world's largest online travel sites for the home? Whether you need a mid-priced vacation in the United States, or for an inexpensive or off-the-beaten-path vacation, we may just help you find it. Through our comprehensive inventory of leading travel and vacation rentals, sailing, we are the first to understand the desire to live the vacation of your dreams. We're looking to meet you, because traveling and experiencing the world through unique experiences are our passion.

At HomeAway, we believe that travel is a pleasure, not a chore, and an opportunity for fun, relaxation, and adventure. We are not a travel agency, but a travel site. Our unique service model is a unique blend of travel and travel marketplace for travelers. We believe in the value of the personal touch, and that's why we have a dedicated customer service team available 24/7 to answer your questions and help you with any concerns you may have. We are also committed to the belief that value, quality, convenience, safety, and security are the key ingredients for a great vacation. We are your travel partner, and we are here to help you make the most of your vacation.

Get in touch with us at [www.homeaway.com](http://www.homeaway.com).

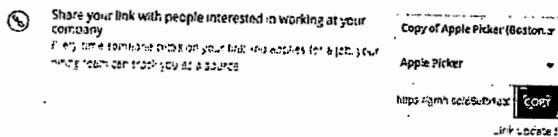
You can provide more background information on the referral for the recruiter's reference prior to submitting:

**Details**

Resumes	Attach, Dropbox, Google Drive, Paste
Cover letter	Attach, Dropbox, Google Drive, Paste
Enclosures from	Dropbox, Google Drive, Paste
Reference from	Dropbox, Google Drive, Paste
Address	Dropbox, Google Drive, Paste
City	Dropbox, Google Drive, Paste
State	Dropbox, Google Drive, Paste
Country	<input style="border: 1px solid #ccc; padding: 2px 10px; width: 150px; height: 20px;" type="button" value="Select a Country"/>
Zip/Code	Dropbox, Google Drive, Paste

## OPTION 2

From your Greenhouse dashboard, you can generate a direct application link to send to your referral. Simply choose the job your referral is interested in and a link will automatically be generated. You can use this code as many times as you like and you will automatically be tagged as the referral.



Your referral will not be added to requisitions that he or she has already applied to or has been referred to by another employee. The system will confirm with you which requisitions your referral has been added to.

If your referral applied before you could submit their resume, please email Wayferrals@. Please note no credit will be given if an on-site interview has been scheduled or if an offer has been accepted.

### Part Three: What to Expect after Referring

The appropriate recruiter will review the candidate's resume/qualifications and contact the candidate within 4 business days of your referral being submitted. At this time, we do not have a referral dashboard in Greenhouse to actively share your referral's progress. If you have questions about where your referral is in the process, please email Wayferrals@.

## Part Four: Rewards & Eligibility

→ By then you're still going to still qualify for the bonus...

→ Wayfair employees must be employed by Wayfair at the time of the bonus pay-out. If your referral starts after you leave Wayfair, you will not be able to receive a referral bonus.

Bonuses will be paid in the first paycheck after the new hire's start date. Please only contact Wayferrals@ about the status of your bonus only after the pay period that you expected your bonus has passed.

Referral Bonus Structure	
<b>Business &amp; Engineering</b>	<b>Referral Bonus Amount</b>
<b>L1 - L3 Roles</b>	\$1,000/£1,000/1,000€
<b>L4 + Roles</b>	\$3,000/£3,000/3,000€
<b>Customer Service (including enrollment)</b>	<b>Referral Bonus Amount</b>
<b>Part-Time</b>	\$150
<b>L1 Roles</b>	\$500
<b>L2+ Roles</b>	\$1,000
<b>Warehouse</b>	<b>Referral Bonus Amount</b>
<b>L1 Roles</b>	\$500
<b>L2+ Roles</b>	\$1,000
<b>Seasonal</b>	<b>Referral Bonus Amount</b>
<b>Temporary</b>	\$150

#### Eligibility:

- Any Wayfair pay-rolled employee is eligible for a referral bonus, except:
  - Anyone involved in the interview process or hiring decision of referral
  - Vice Presidents and above
  - Recruiting personnel
- Your referral must be employed by Wayfair (not in a contract, temporary, internship, or co-op role) and cannot be:
  - A former Wayfair employee
  - A candidate from an outside recruiting agency
  - A candidate directly sourced through recruiting efforts
  - A current student applying for an internship, co-op, or full time position from a college, business school, or university where Wayfair posts jobs and actively recruits new grads (see attachment below for a current list of schools).
- In order to receive proper credit, you must submit your referral before they have scheduled an on-site interview.

#### Referral Bonus Payout Schedule

Please note the payout date listed below is an approximation and the bonus could be paid out in the paycheck after the approximated date. If your new hire starts the Monday of a week in which we get paid, you will receive your bonus the following paycheck.

Please wait for the approximated payout date to pass prior to reaching out to Wayferrals@.

If your hire starts between...	You will receive your bonus:
12/23/18 - 1/5/19	1/11/19
1/6/19 - 1/19/19	1/25/19
1/20/19 - 2/2/19	2/8/19
2/3/19 - 2/16/19	2/22/19

2/17/19 - 3/2/19	3/8/19
3/3/19 - 3/16/19	3/22/19
3/17/19 - 3/30/19	4/5/19
3/31/19 - 4/13/19	4/19/19
4/14/19 - 4/27/19	5/3/19
4/28/19 - 5/11/19	5/17/19
5/12/19 - 5/25/19	5/31/19
5/26/19 - 6/8/19	6/14/19
6/9/19 - 6/22/19	6/28/19
6/23/19 - 7/6/19	7/12/19
7/7/19 - 7/20/19	7/26/19
7/21/19 - 8/3/19	8/9/19
8/4/19 - 8/17/19	8/23/19
8/18/19 - 8/31/19	9/6/19
9/1/19 - 9/14/19	9/20/19
9/15/19 - 9/28/19	10/4/19
9/29/19 - 10/12/19	10/18/19
10/13/19 - 10/26/19	11/1/19
10/27/19 - 11/9/19	11/15/19
11/10/19 - 11/23/19	11/29/19
11/24/19 - 12/7/19	12/13/19
12/8/19 - 12/21/19	12/27/19
12/22/19 - 1/4/20	1/10/20

## Part Five: Issues Logging Into Greenhouse

- You will have a Greenhouse tile on wayfair.okta.com. If you don't have a tile, or if you click it and run into an error, please email Wayferrals@.

## Part Six: Campus Referral Policy

The Wayfair Campus team loves and encourages employee referrals! To refer a Campus referral, please use Option 2 (in Part 2) to submit a referral. The following roles are open for referrals:

### Business

- Business Analyst Full Time (1413); Business Analyst Internship (1420)
- Corporate Finance Analyst Rotational Program: Full-Time (1430)
- E-Commerce Rotational Program: Full-Time (1415); E-Commerce Internship (1438)
- Talent Acquisition & Strategy Associate (1728); Talent Acquisition & Strategy Associate Internship (1729)
- Analytics
- Data Science - Vision & Speech Platforms - Full Time Opportunities (1375)
- Data Science - Vision & Speech Platforms - Intern & Co-op Opportunities (1376)
- Data & Machine Learning Scientist - Full Time Opportunities (1371)

- Data & Machine Learning Scientist - Intern & Co-op Opportunities (1374)
- Operations Research - Summer Internship (1379)
- Operations Research - Full Time Opportunities (1380)

**MBA**

- MBA GM Track Full-Time (1471); MBA GM Track Intern (1607)
- MBA Product Track Full-Time (1793; MBA Product Track Intern (1922)
- MBA WayForward Field Ops Full-Time (1601); MBA WayForward Field Ops Intern (1608)

**Engineering**

- L1 Full Stack/Mobile Software Engineer - Wayfair Labs (123)
- Software Engineering Internship Summer 2020 (1314)

**\*For Co-op roles, please contact your campus recruiter\***

Please note, however, that given our dedicated resources on campus, employees are not eligible for a referral bonus for students applying for an internship, co-op, or full-time position.

## Part Seven: Frequently Asked Questions

**Q: My referral applied before I could upload them to Greenhouse. Can I be added as the source?**

A: Yes, as long as the candidate did not already schedule an on-site interview or have accepted an offer. If an on-site interview has been scheduled or an offer accepted, you will be unable to get credit for the referral. Please email Wayferrals@ to have the source updated.

**Q: I was supposed to be paid out a referral bonus in this week's paycheck. Where is it?**

A: Please email Wayferrals@ with the name of your referral and we will look into this for you.

**Q: Can you tell me if I'll be getting my bonus this paycheck?**

A: Please use the table above to determine the approximate payout date of your referral bonus. We pay out bonuses in the first paycheck after the new hire's start date. If your referral starts on the Monday the week of a paycheck, you will receive the bonus in the following paycheck. Please only email Wayferrals@ after your expected date has passed to check on the status.

Have more questions? Please email Wayferrals@.

Owner/Created By	brhardy
Created Date	Apr 19, 2019 08:53
Last Updated By	Mel Yazejian
Last Updated Date	Oct 08, 2019 15:35



≡ MENU

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&gt;

Profile< [John](#) [Account history](#) >

Call details

[Logout](#)[Filter](#)Aug 29 - Sep 28, 2019

Total: 2465 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
09/18/2019,07:55 PM	to Newbrunswk/NJ	(848) 209-5580	1 Min	--	--
09/18/2019,06:25 PM	Incoming	(267) 752-3072	1 Min	--	--
09/18/2019,04:45 PM	1-800 #	(800) 304-3107	3 Min	Conference call	--
09/18/2019,04:44 PM	1-800 #	(800) 304-3107	1 Min	Conference call	--
09/18/2019,04:38 PM	to Newark/NJ	(862) 368-3015	12 Min	Conference call	--
09/18/2019,04:20 PM	Incoming	(267) 752-3072	15 Min	--	--
09/18/2019,03:37 PM	Incoming	(609) 672-6273	9 Min	T-Mobile to T-Mobile	--
09/18/2019,02:33 PM	Incoming	(215) 590-2754	64 Min	--	--
09/18/2019,02:15 PM	to Burlington/NJ	(609) 733-2700	1 Min	--	--
09/18/2019,01:55 PM	Incoming	(609) 989-4320	3 Min	--	--
09/18/2019,12:32 PM	to Trenton/NJ	(609) 815-9299	1 Min	--	--
09/18/2019,10:52 AM	Incoming	(609) 989-4320	1 Min	--	--
09/18/2019,09:21 AM	to Trenton/NJ	(609) 306-7462	1 Min	T-Mobile to T-Mobile	--
09/18/2019,08:25 AM	Incoming	(856) 899-3957	1 Min	--	--
09/17/2019,11:00 PM	Incoming	(609) 306-7462	1 Min	T-Mobile to T-Mobile	--
09/17/2019,08:53 PM	Incoming	(609) 306-7462	2 Min	T-Mobile to T-Mobile	--
09/17/2019,06:28 PM	Incoming	(267) 752-3072	11 Min	--	--
09/17/2019,03:12 PM	Incoming	(609) 989-4320	3 Min	--	--
09/17/2019,02:55 PM	Incoming	(609) 212-0226	1 Min	--	--
09/17/2019,01:24 PM	Incoming	(609) 819-4565	1 Min	--	--
09/17/2019,11:57 AM	Incoming	(800) 446-8848	1 Min	--	--
09/17/2019,10:15 AM	Incoming	(609) 989-4320	1 Min	--	--
09/17/2019,09:53 AM	Incoming	(609) 558-2535	1 Min	--	--
09/17/2019,09:32 AM	to Cranbury/NJ	(609) 619-0863	1 Min	--	--
09/17/2019,08:53 AM	to Cranbury/NJ	(609) 619-0863	1 Min	--	--
09/17/2019,08:46 AM	Incoming	(609) 716-4921	7 Min	--	--
09/17/2019,08:44 AM	Incoming	(609) 815-9299	2 Min	--	--
09/17/2019,06:43 AM	Incoming	(609) 433-4988	5 Min	--	--
09/17/2019,06:38 AM	to Trenton/NJ	(609) 433-4988	1 Min	--	--

Phone to show I was the one that "introduced" Adam Robinson to Max Uniman for a job.  
This shows I was the one that initiated the contact of them

09/16/2019,07:44 PM	to Camden/NJ	(856) 246-7369	11 Min	T-Mobile to T-Mobile	--
09/16/2019,07:31 PM	to Phila/PA	(267) 752-3072	2 Min	--	--
09/16/2019,04:29 PM	Incoming	(347) 389-3470	2 Min	--	--
09/16/2019,03:42 PM	to Cranbury/NJ	(609) 619-0863	10 Min	Conference call	--
09/16/2019,03:35 PM	Incoming	(848) 209-5580	27 Min	Conference call	--
09/16/2019,03:32 PM	to Newbrunswk/NJ	(848) 209-5580	1 Min	--	--
09/16/2019,03:31 PM	to Trenton/NJ	(609) 433-4988	1 Min	--	--
09/16/2019,03:30 PM	to Vincentown/NJ	(609) 998-1017	1 Min	--	--
09/16/2019,03:29 PM	to Trenton/NJ	(609) 433-4988	1 Min	--	--
09/16/2019,03:28 PM	to Vincentown/NJ	(609) 998-1017	1 Min	--	--
09/16/2019,02:33 PM	to New Castle/DE	(302) 669-1335	14 Min	--	--
09/16/2019,02:15 PM	Incoming	(609) 619-0863	5 Min	--	--
09/16/2019,01:44 PM	to Charleston/SC	(843) 214-7414	1 Min	--	--
09/16/2019,01:44 PM	to Charleston/SC	(843) 214-7414	1 Min	--	--
09/16/2019,12:44 PM	to Perthamboy/NJ	(732) 881-5575	1 Min	--	--
09/16/2019,06:14 AM	to Mountainvw/NJ	(973) 519-3482	1 Min	--	--
09/15/2019,09:53 PM	to Phila/PA	(267) 752-3072	1 Min	--	--
09/15/2019,06:12 PM	Incoming	(609) 306-7462	1 Min	T-Mobile to T-Mobile	--
09/15/2019,12:46 PM	Incoming	(609) 306-7462	1 Min	T-Mobile to T-Mobile	--
09/15/2019,08:46 AM	to Camden/NJ	(856) 246-7369	6 Min	T-Mobile to T-Mobile	--
09/14/2019,06:44 PM	1-877 #	(877) 533-1431	11 Min	--	--

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Tuesday, September 24, 2019

Read  
2:16 PM

Hi Nut, what's good

Read  
2:17 PM

I missed your call



I go for my orientation  
tommorow you at work

2:18 PM

Read  
2:26 PM

No, I start tomorrow



O ok

2:27 PM

Read  
2:27 PM

So that means you will start  
Thursday



Yeah

2:27 PM

Read

But you will get paid for



## Don't forget about our **WAYFERRALS** program!

### What's in it for you?

- If they are HIRED you will receive \$500 per hire through Wayferral program!
- Refer to Wayferral KB for program rules and eligibility; or ask Leslie or Max

### HOW?

- Submit a Wayferral in Jobvite
- Drop off a referral's resume to the Recruiting Office





MENU

[Search](#)

&gt;

Profile< [John](#) [Account history](#) >

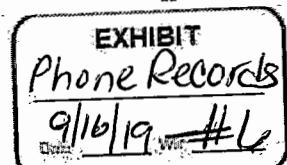
Call details

[Logout](#)[Filter](#)Aug 29 - Sep 28, 2019

Total: 2465 minutes

Total charges: \$0.00

Date & Time (Pacific)	Destination	Number	Min	Type	Charge
09/18/2019,07:55 PM	to Newbrunswk/NJ	(848) 209-5580	1 Min	--	--
09/18/2019,06:25 PM	Incoming	(267) 752-3072	1 Min	--	--
09/18/2019,04:45 PM	1-800 #	(800) 304-3107	3 Min	Conference call	--
09/18/2019,04:44 PM	1-800 #	(800) 304-3107	1 Min	Conference call	--
09/18/2019,04:38 PM	to Newark/NJ	(862) 368-3015	12 Min	Conference call	--
09/18/2019,04:20 PM	Incoming	(267) 752-3072	15 Min	--	--
09/18/2019,03:37 PM	Incoming	(609) 672-6273	9 Min	T-Mobile to T-Mobile	--
09/18/2019,02:33 PM	Incoming	(215) 590-2754	64 Min	--	--
09/18/2019,02:15 PM	to Burlington/NJ	(609) 733-2700	1 Min	--	--
09/18/2019,01:55 PM	Incoming	(609) 989-4320	3 Min	--	--
09/18/2019,12:32 PM	to Trenton/NJ	(609) 815-9299	1 Min	--	--
09/18/2019,10:52 AM	Incoming	(609) 989-4320	1 Min	--	--
09/18/2019,09:21 AM	to Trenton/NJ	(609) 306-7462	1 Min	T-Mobile to T-Mobile	--
09/18/2019,08:25 AM	Incoming	(856) 899-3957	1 Min	--	--
09/17/2019,11:00 PM	Incoming	(609) 306-7462	1 Min	T-Mobile to T-Mobile	--
09/17/2019,08:53 PM	Incoming	(609) 306-7462	2 Min	T-Mobile to T-Mobile	--
09/17/2019,06:28 PM	Incoming	(267) 752-3072	11 Min	--	--
09/17/2019,03:12 PM	Incoming	(609) 989-4320	3 Min	--	--
09/17/2019,02:55 PM	Incoming	(609) 212-0226	1 Min	--	--
09/17/2019,01:24 PM	Incoming	(609) 819-4565	1 Min	--	--
09/17/2019,11:57 AM	Incoming	(800) 446-8848	1 Min	--	--
09/17/2019,10:15 AM	Incoming	(609) 989-4320	1 Min	--	--
09/17/2019,09:53 AM	Incoming	(609) 558-2535	1 Min	--	--
09/17/2019,09:32 AM	to Cranbury/NJ	(609) 619-0863	1 Min	--	--
09/17/2019,08:53 AM	to Cranbury/NJ	(609) 619-0863	1 Min	--	--
09/17/2019,08:46 AM	Incoming	(609) 716-4921	7 Min	--	--
09/17/2019,08:44 AM	Incoming	(609) 815-9299	2 Min	--	--
09/17/2019,06:43 AM	Incoming	(609) 433-4988	5 Min	--	--
09/17/2019,06:38 AM	to Trenton/NJ	(609) 433-4988	1 Min	--	--



PR  
10f3  
Ty. 185

Phone to show I was the one that introduced Adam Robinson to Max Uniman for a job.

This shows I was the one that initiated the contact of them.

09/16/2019,07:44 PM	to Camden/NJ	(856) 246-7369	11 Min	T-Mobile to T-Mobile	--
09/16/2019,07:31 PM	to Phila/PA	(267) 752-3072	2 Min	--	--
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09/16/2019,12:44 PM	to Perthamboy/NJ	(732) 881-5575	1 Min	--	--
09/16/2019,06:14 AM	to Mountainvw/NJ	(973) 519-3482	1 Min	--	--
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09/15/2019,12:46 PM	Incoming	(609) 306-7462	1 Min	T-Mobile to T-Mobile	--
09/15/2019,08:46 AM	to Camden/NJ	(856) 246-7369	6 Min	T-Mobile to T-Mobile	--
09/14/2019,06:44 PM	1-877 #	(877) 533-1431	11 Min	--	--

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Pg. 2 of 3

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Phone Records  
Pg. 3 of 3

Tuesday, September 24, 2019

Read  
2:16 PM

Hi Nut, what's good

Read  
2:17 PM

I missed your call

A

I go for my orientation  
tommorow you at work

2:18 PM

Read  
2:26 PM

No, I start tomorrow

A

0 ok

2:27 PM

Read  
2:27 PM

So that means you will start  
Thursday

A

Yeah

2:27 PM

EXHIBIT  
Text MSGS  
9/24/19 #7

Read

But you will get paid for

Text Records 2 of 5

Tuesday, September 24, 2019

Read  
2:16 PM

Hi Nut, what's good

Read  
2:17 PM

I missed your call

N

I go for my orientation  
tommorow you at work

2:18 PM

Read  
2:26 PM

No, I start tomorrow

N

Ok

2:27 PM

Read  
2:27 PM

So that means you will start  
Thursday

N

Yeah

2:27 PM

But you will get paid for

Text Records 3 of 5

Don't forget to put me down  
for the job referral.. As John  
Moses

Read

I was there for three hours

Read  
2:28 PM

A Its on the paper

2:28 PM

A Oh ok

2:29 PM

Read Yes it is. And refer people too

Read Because we get 500.00

Read  
2:29 PM For each person we get hired

A Ite yeah ima do that

2:29 PM

A How much

Ok ok

Text Records  
Pg. 4 of 5

Read  
2:31 PM

room but they have to gather  
everyones information before  
it gets started

A

Oh ok

2:31 PM

Read  
2:32 PM

Make sure you take two form  
of Ids with you to orientation

A

Yeah i got that cuz

2:32 PM

Read  
2:32 PM

And make sure to read that  
offer letter too

A

lte

2:32 PM

Read  
2:33 PM

It has you shift information on  
it

A

Ok i will

2:34 PM



*Text Records  
Pg. 5 of 5*

Read  
2:52 PM

Yes

A

Plus oT

2:52 PM

Read  
2:53 PM

Yes. If they give it to you

A

He said it was

2:53 PM

Read  
2:53 PM

Cool

A

Tru

2:53 PM

Wednesday, September 25, 2019

Just a reminder your orientation is today at 11:45am in building 18 Hightstown-Cranbury Station Rd Cranbury.

N 1 008512 Makes sure to bring

Document Name	Equipment Progressive Disciplinary Action
Last Revised	12APR2018
REV Number	V1
Document Type	Policy

To help ensure a safe working environment, the company expects all employees who operate equipment to do so in a manner that is continually safe, and in compliance with all related rules and regulations. On the occasions an employee fails to meet these standards, this policy shall define the appropriate disciplinary process for the involved employee.

### **Equipment Near Miss Incident**

No damage to equipment or building

#### **First Near Miss Incident:**

1. Complete Near Miss Report
2. Allowed to operate equipment same day.

#### **Second Near Miss Incident:**

1. Complete Near Miss Report
2. The employee must be re-trained/re-certified prior to operating any equipment.

#### **Third Near Miss Incident: Treated as a 1<sup>st</sup> Accident**

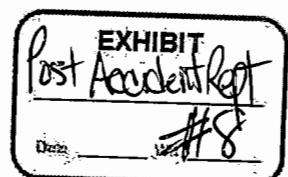
1. The employee must complete a post-accident drug screen.
2. A written warning will be issued to the employee by the employee's supervisor. The original signed copy must be forwarded to TM for filing.
3. The employee will be prohibited from operating any equipment for **1 week**. During this time-period, the employee will be placed in another workgroup for the duration of his/her shift, as determined on a daily basis by management.
4. The employee must be re-trained/re-certified prior to operating any equipment.

### **Property Damage Accident**

Damage to equipment or building (racking, yellow poles, dock doors, etc.)

#### **First Accident - Written Warning:**

1. The employee must complete a post-accident drug screen.
2. A written warning will be issued to the employee by the employee's supervisor. The original signed copy must be forwarded to TM for filing.
3. The employee will be prohibited from operating any equipment for **1 week**. During this time-period, the employee will be placed in another workgroup for the duration of his/her shift, as determined on a daily basis by management.





Document Name Last Revised	Equipment Progressive Disciplinary Action 12APRIL2018
REV Number	V1
Document Type	Policy

4. The employee must be re-trained/re-certified prior to operating any equipment.

### Second Accident - Final Written Warning:

1. The employee must complete a post-accident drug screen.
2. A final written warning will be issued to the employee by the employee's supervisor. The original signed copy must be forwarded to TM for filing.
3. The employee will be prohibited from operating any equipment for 2 weeks. During this time-period, the employee will be placed in another workgroup for the duration of his/her shift, as determined on a daily basis by management.
4. During the **10 days** probation period, the driver pay differential may be removed. This will occur at the discretion of senior management, and with the approval of HR.
  - i. HR will be responsible for processing the removal of the pay differential, and for processing the return of the pay differential at the end of the probation period.
5. The employee must be re-trained/re-certified prior to operating any equipment.

### Third Accident - Termination of Employment:

1. Immediately notify Talent Management of the accident.
  - i. If the accident occurs outside of normal business hours, the employee should be sent home, and the supervisor should immediately email HR to notify them of the accident.
2. Senior Management and Talent Management will review the incident and approve or deny the termination.
3. Accident reports must be completed.
2. The associate would not be eligible for rehire until 12 months after the termination has passed; if rehired they would not be eligible for any driving positions within Wayfair.

### NOTE:

1. Both the Warning and Final Warning phases may be bypassed at the discretion of senior management and HR. Such decision will be based on the severity of the accident and other contributing factors.

4:11



20200108\_162852.mp4

CC

N



01:52

01:52



EXHIBIT

Ric Francisco  
#9



EXHIBIT  
Pic. Anthony  
#10

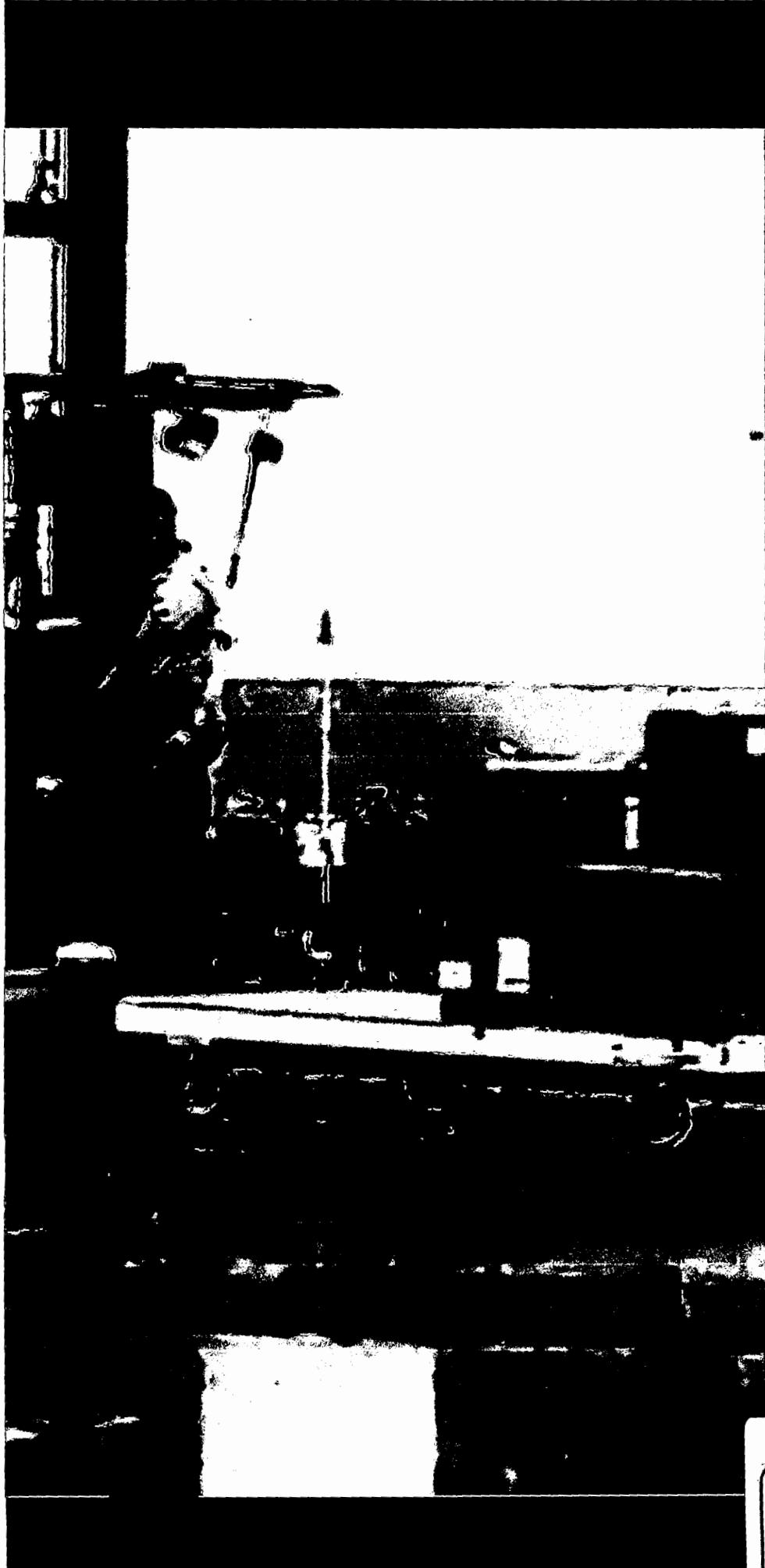
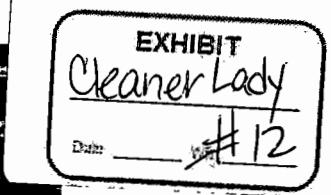


EXHIBIT  
PicChoppo  
Date: 4/29/2020 #11



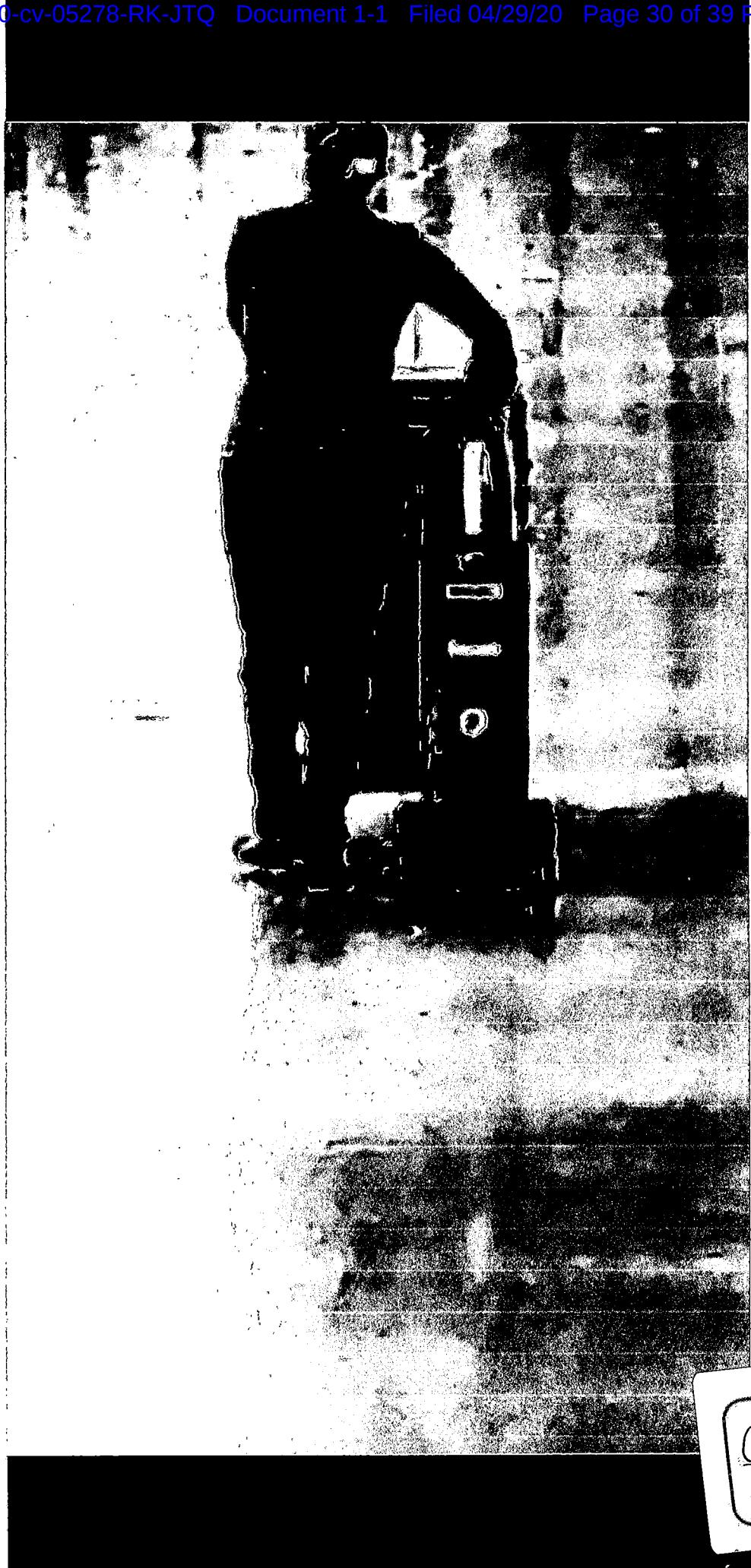




EXHIBIT  
Cleaner Lady  
Date #14



EXHIBIT  
Cleaner Lady  
#15  
Date: \_\_\_\_\_



EXHIBIT  
Pic Gene  
#16

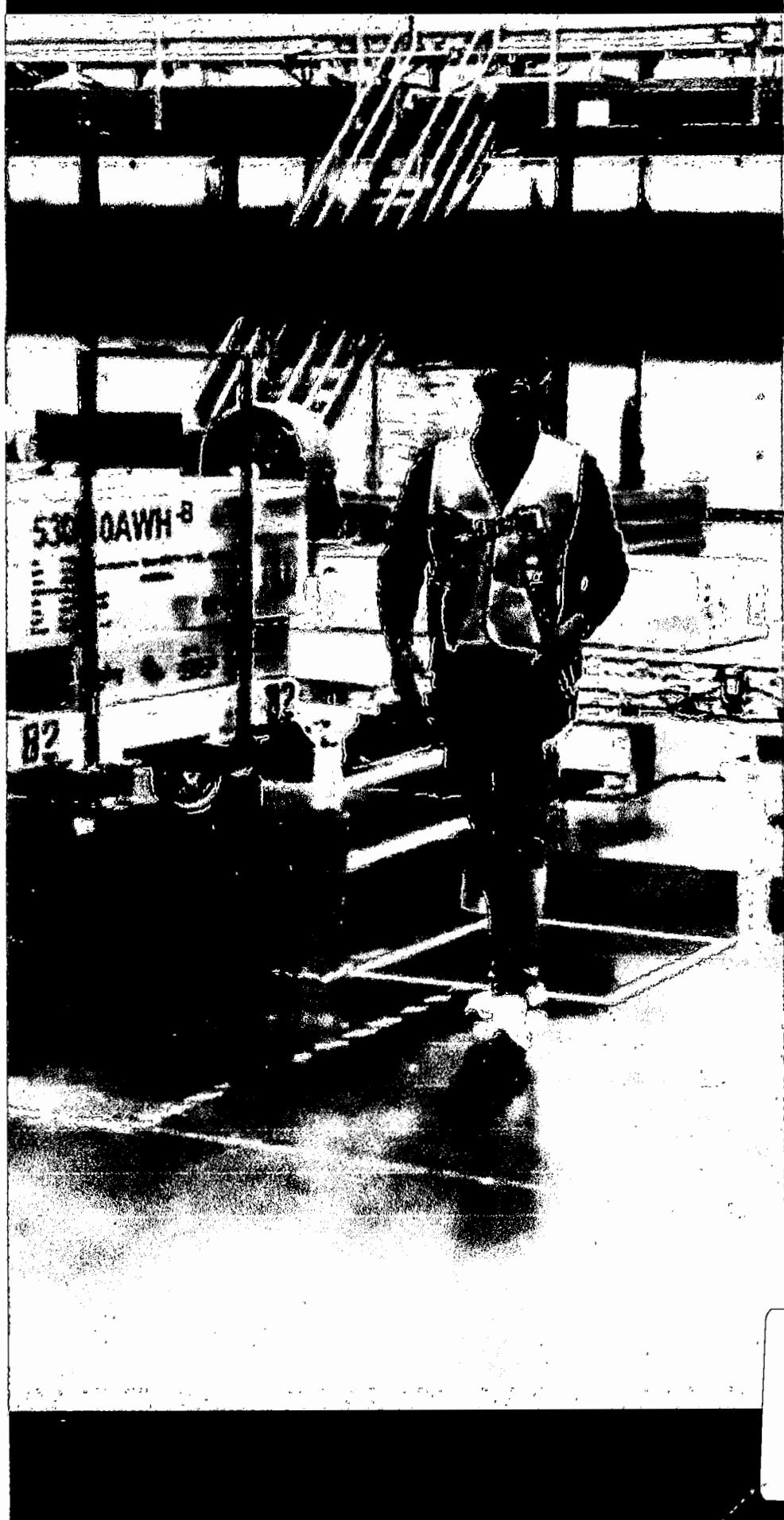


EXHIBIT  
Pic ChrtSA.  
Date 4/17



EXHIBIT  
Pic, Louis R  
2/22/19 #18  
Date: 2/22/19



EXHIBIT  
Pic Louis R  
1/17/19 #79  
Date: 1/17/19

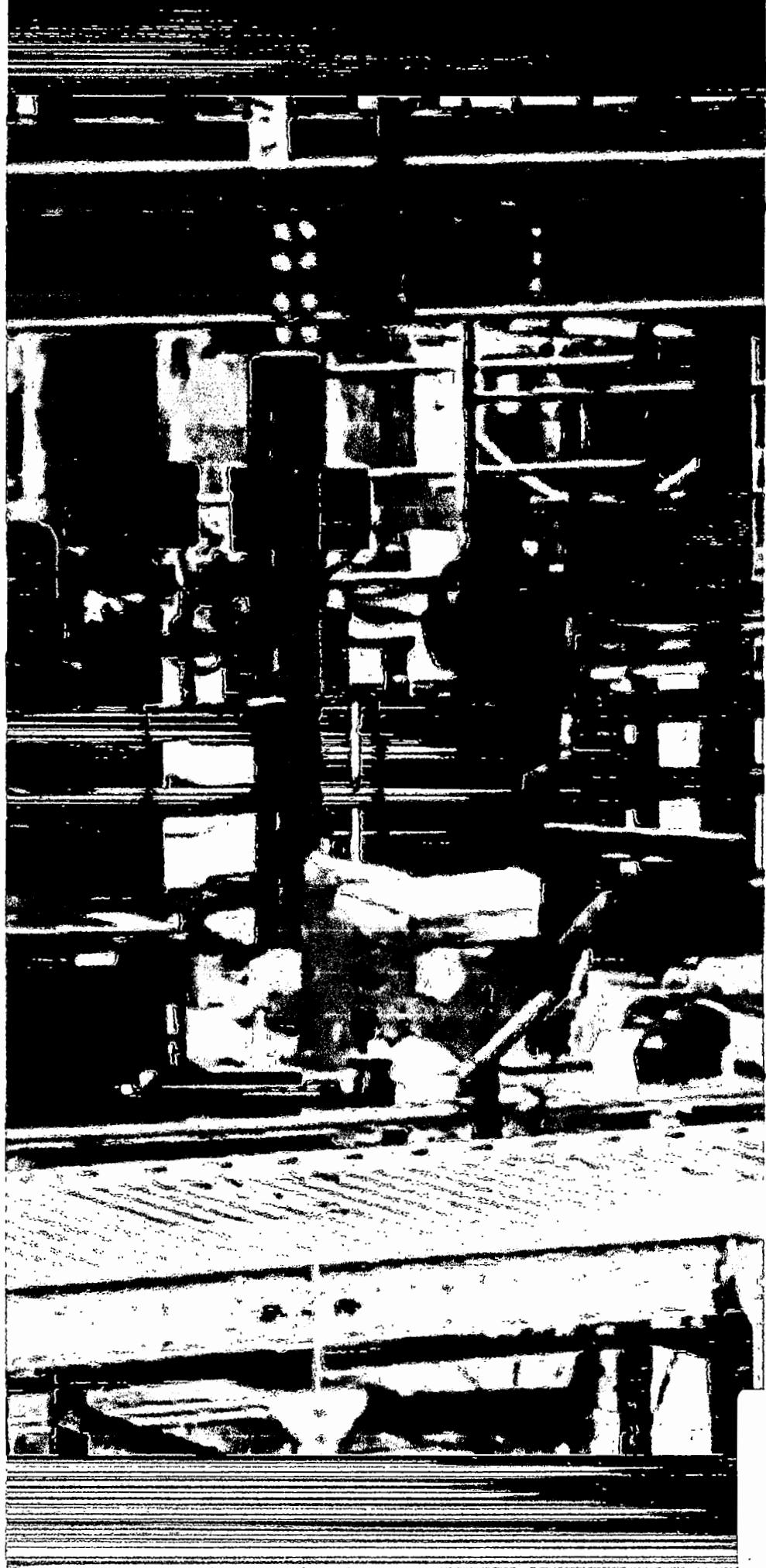


EXHIBIT  
Pic Oscar  
12/1/19 #20

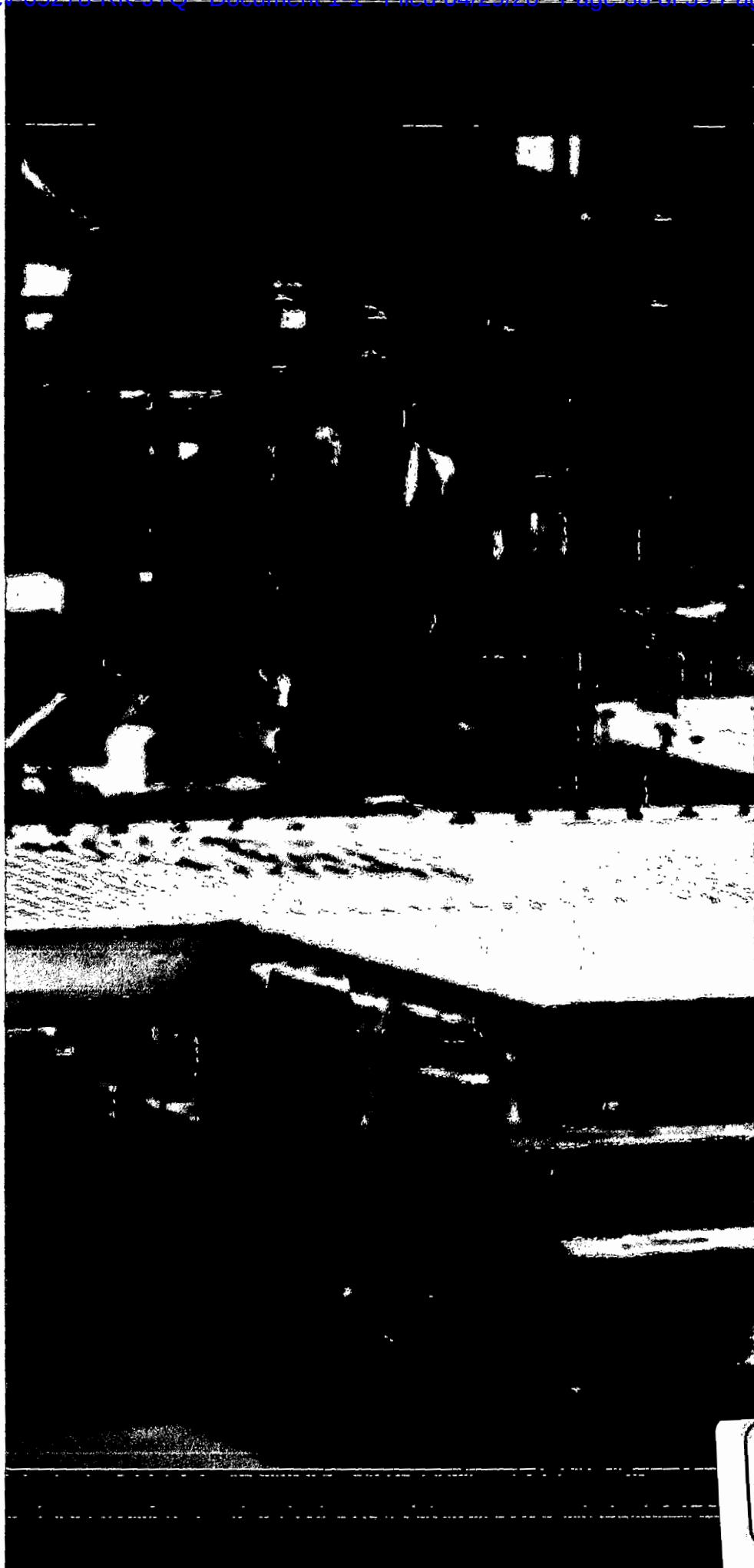


EXHIBIT  
Pic Oscar K  
12/7/19 #21

